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To:

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Electronic Business Center	571-273-0177	571-272-4100
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FROM: Kimberly A Bolin, D. Phil.
Phone: (650) 813-5740
Fax: (650) 494-0792

DATE: March 8, 2007

Number of pages with cover page:	12	
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Preparer of this slip has confirmed that facsimile number given is correct: 12496/sfh1**Comments:**

Examiner: Not Yet Assigned
Art Unit: Not Yet Assigned
U.S. Patent Application Serial No.: 10/595,219
Int'l Filing Date: September 27, 2004
Inventor(s): David R. HELTON et al.
Title: TETRAHYDROINDOLONE DERIVATIVES FOR TREATMENT OF
NEUROLOGICAL CONDITIONS
Docket No.: 420052004700

Papers enclosed herewith:

1. Copy of Transmittal (3 pages)
2. Copy of Communication (2 pages)
3. Copy of Power of Attorney, Revocation of Power of Attorney, Change of Corresponding Address submitted 11/16/06 (1 page)
4. Copy of Statement Under 37 CFR 3.73(b) submitted 11/16/06 (1 page)
5. Copy of postcard from 11/16/06 filing of Power/3.73b (1 page)
6. Copy of transmittal from 11/16/06 filing (3 pages)

Please acknowledge receipt via return facsimile

To ensure compliance with requirements imposed by the United States Internal Revenue Service, Morrison & Foerster LLP informs you that, if any advice concerning one or more U.S. Federal tax issues is contained in this facsimile (including any attachments), such advice is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

I hereby certify that this paper is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: March 8, 2007 Signature:  (Sandy Hou)

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PTO-1390 (Rev. 07-2005)

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U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 420052004700
		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/595,219
INTERNATIONAL APPLICATION NO. PCT/US2004/031743	INTERNATIONAL FILING DATE 27 September 2004	PRIORITY DATE CLAIMED 25 September 2003
TITLE OF INVENTION TETRAHYDROINDOLONE DERIVATIVES FOR TREATMENT OF NEUROLOGICAL CONDITIONS		
APPLICANT(S) FOR DO/EO/US David R. HELTON et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;">d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</p>		

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U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/595,219		INTERNATIONAL APPLICATION NO. PCT/US2004/031743		ATTORNEY'S DOCKET NUMBER 420052004700	
20. <input checked="" type="checkbox"/> Other items or information: Communication (2 pages) Copy of Power of Attorney, Revocation of Power of Attorney, Change of Corresponding Address submitted on 11/16/06 (1 page) Copy of Statement Under 3.73(b) submitted on 11/16/06 (1 page) Copy of postcard from 11/16/06 filing of power/3.73b (1 page) Copy of transmittal from 11/16/06 filing (3 pages) Fax Cover Sheet					
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 0.00	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations..... \$200				\$ 0.00	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$600				\$ 0.00	
TOTAL OF 21, 22 and 23 =				\$ 0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$ 0.00	
Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ 0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	16- 20 =	0	x 50.00	0.00	
Independent claims	1- 3 =	0	x 200.00	0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+	
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$ 0.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$ 0.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
				\$	
TOTAL FEES ENCLOSED =				\$ 0.00	
				Amount to be refunded:	\$ 0.00
				Amount to be charged	\$ 0.00

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- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ 0.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1952. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

SIGNATURE

NAME

Kimberly A. Bolin

CUSTOMER NUMBER: 25226

44,546
REGISTRATION NUMBER

I hereby certify that this paper is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: March 8, 2007

Signature: 

(Sandy Hou)

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Docket No.: 420052004700
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David R. HELTON et al.

Application No.: 10/595,219

Confirmation No.: 4859

Filed: (Int'l) September 27, 2004

Art Unit: Not Yet Assigned

For: TETRAHYDROINDOLONE DERIVATIVES
FOR TREATMENT OF NEUROLOGICAL
CONDITIONS

Examiner: Not Yet Assigned

COMMUNICATION
REGARDING ASSOCIATION OF CUSTOMER NUMBER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Attached please find a copy of the Revocation of Power of Attorney, Power of Attorney, and Correspondence Address Change to practitioners associated with **Customer Number 25226** (SB/80), as well as the associated Statement Under 37 CFR 3.73b. These documents were originally submitted to the Office along with the Response to Missing Requirements, filed on November 16, 2006. A copy of the return receipt postcard and transmittal from the November 16, 2006 filing is also included herewith.

Ms. Sandy Hou confirmed with the Office via telephone on March 2, 2007 that the Response to Missing Requirements had been received by the Office, but it appears that the Office has not yet associated the above-referenced application with the listed Customer Number.

Please associate the above application with the **Customer Number 25226**, thus enabling practitioners associated with this Customer Number to access information for the application

pa-1136585

COPY

Application No.: 10/595,219

2

Docket No.: 420052004700

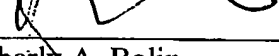
through private PAIRS. It is respectfully requested that the agent named below be advised of the status of the above-identified application. Please advise us of when we might expect to receive an Office Action from the Patent and Trademark Office.

A copy of this communication to the Office, along with accompanying documents, is also being submitted via facsimile to the Electronic Business Center (571-273-0177).

Applicants believe that no fee is due in connection with this communication. However, in the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 420052004700. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 8, 2007

Respectfully submitted,

By 
Kimberly A. Bolin
Registration No.: 44,546
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, California 94304-1018
(650) 813-5740

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PTO/SB/80 (01-06)

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POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

25226

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number:

25226

OR

☐ Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Email


Assignee Name and Address:

Abraxis BioScience, Inc.
2730 Wilshire Boulevard, Suite 500
Santa Monica, California 90403

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	8.12.06
Name	Richard E. Maroun	Telephone	(310) 883-3146
Title	Chief Administrative Officer		

Attorney Docket No.: 420052800100

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PTO/SB/96 (12-05)

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: David R. Helton et al.

Application No./Patent

No./Control No.:

10/595,219

Filed/Issue Date:

September 27, 2004 (Int'l)Entitled: TETRAHYDROINDOLONE DERIVATIVES FOR TREATMENT OF NEUROLOGICAL CONDITIONSAbraxis BioScience, Inc.
(Name of Assignee)

, a

corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
(The extent (by percentage) of its ownership interest is _____ %)
- in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or a true copy of the original assignment is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

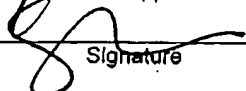
1. From: David HELTON, David FICK, Ernie PFADENHAUER, and Jason SHARP To: Cenomed, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: Cenomed, Inc. To: Abraxis BioScience, Inc.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.


Signature
Kimberly A. Bolin, Reg. No. 44,546
Printed or Typed Name

Patent Agent

Title

November 16, 2006

Date

650-813-5740

Telephone Number

Attorney Docket No.: 420052004700

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Label 11-F, April 2004



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Date 11 16 06	Scheduled Date of Delivery Month 11 Day 16	Return Receipt Fee \$	Mo. Day Delivery Attempt Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature
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Atty Docket No.: 420052004700

Inventor: David R. HELTON et al.

Application No.: 10/595,219

Int'l Filing Date: September 27, 2004

Title: TETRAHYDROINDOLONE DERIVATIVES FOR TREATMENT OF
NEUROLOGICAL CONDITIONS

IAP6 Rec'd PCT/PTO 16 NOV 2006

Documents Filed:

- Transmittal Letter to the United States Designated-Elected Office (3 pages)
- Copy of Notification of Missing Requirements (2 pages)
- Oath or declaration of the inventor(s) (4 pages)
- Supplemental Application Data Sheet (4 pages)
- Power of Attorney to Prosecute Application Before the USPTO (PTO/SB/80) (1 page)
- Statement Under 37 CFR 3.73(b) + copy of Assignment and Assignment Agreement (4 pages)

Via: Express Mail: Airbill No. EV 582590968 US

Sender's Initials: KAB10/aac3

Date: November 16, 2006

pa-1109641

EV582590968US

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 58259099, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 10, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 16, 2006

Signature: 

(Lori Sims)

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INTERNATIONAL APPLICATION NO. PCT/US2004/031743		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/595,219
INTERNATIONAL FILING DATE 27 September 2004		PRIORITY DATE CLAIMED 25 September 2003
TITLE OF INVENTION TETRAHYDROINDOLONE DERIVATIVES FOR TREATMENT OF NEUROLOGICAL CONDITIONS		
APPLICANT(S) FOR DO/EO/US David R. HELTON et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
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U.S. APPLICATION NO. (if known, see 37 CFR 1.6) 10/595,219		INTERNATIONAL APPLICATION NO. PCT/US2004/031743		ATTORNEY'S DOCKET NUMBER 420052004700	
20. <input checked="" type="checkbox"/> Other items or information:		<ul style="list-style-type: none"> • Copy of Notification of Missing Requirements (2 pages); • Statement Under 37 CFR 3.73(b) + copy of Assignment and Assignment Agreement (4 pages); and • Return Receipt Postcard 			
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 0.00	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations..... \$200				\$ 0.00	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500				\$ 0.00	
TOTAL OF 21, 22 and 23 =				\$ 0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$ 0.00	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00		
Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total claims		16 - 20 =	0	x 50.00	0.00
Independent claims		1 - 3 =	0	x 200.00	0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ 360.00	0.00
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$ 0.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$ 0.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$ 0.00	
Amount to be refunded:				\$	
Amount to be charged				\$	

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NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

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